

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 2:25cv374

A HS PRODUKT XD 40 PISTOL,  
MAGAZINE AND AMMO; AND A  
DIAMONDBACK DB-15 PISTOL,  
MAGAZINE AND AMMO,

Defendants.

VERIFIED COMPLAINT IN FORFEITURE

AND NOW comes the United States of America, by and through its counsel, Troy Rivetti, Acting United States Attorney for the Western District of Pennsylvania, and Jill L. Locnikar, Assistant United States Attorney for the Western District, and respectfully represents as follows:

1. Plaintiff, the United States of America, brings this civil action *in rem* for the forfeiture to the United States of a HS Produkt XD 40 pistol, magazine and ammo; and a Diamondback DB-15 pistol, magazine and ammo, delineated by asset identification numbers 25-DEA-715956 and 25-DEA-715958, (hereinafter the "Defendant Firearms") pursuant to 18 U.S.C. § 924(d)(1).

2. Jurisdiction is predicated upon 28 U.S.C. §§ 1345 and 1355. Venue is proper under 28 U.S.C. §§ 1395 and 1355.

3. In October 2023, the Drug Enforcement Administration ("DEA") along with the Pittsburgh Bureau of Police initiated an investigation into the heroin/fentanyl trafficking activities in and around in Western District of Pennsylvania.

4. In June 2024, through September 2024, through the use of various investigative tools, such as controlled purchases and informant information, Federal and local law enforcement were able to determine that the subjects of the investigation were heroin/fentanyl and cocaine dealers who were actively distributing narcotics in the Pittsburgh area and Morgantown, WV.

5. In February 2024, narcotics investigators in Morgantown conducted a controlled purchase of cocaine and heroin from Ryan Larue Terry ("Terry.") Additionally, in July 2024, investigators in Morgantown conducted a controlled purchase of large amounts of heroin/fentanyl and crack cocaine from Terry.

6. Drug traffickers commonly store their drug inventory, drug paraphernalia, drug proceeds, and drug records at their residences or at the residences of relatives or other trusted associates. Additionally, drug traffickers often possess firearms, ammunition, and other dangerous weapons to protect their proceeds, product, and person from others who might attempt to rob them, and to enforce payment from their customers.

7. On October 8, 2024, law enforcement executed a Federal Search and Seizure warrant at the residence of Terry and his girlfriend (the "Residence.")

8. During the search of the Residence, investigators located evidence of illegal narcotics trafficking. Items seized during the search include but are not limited to three bricks of suspected heroin/fentanyl, one small baggie containing suspected heroin/fentanyl, three cellular phones, and the Defendant Firearms.

9. The DEA has retained custody of the Defendant Firearms in the Western District of Pennsylvania.

10. After the seizure, the DEA instituted administrative forfeiture proceedings against the Defendant Firearms. During the administrative proceedings, Terry filed a claim to the Defendant Firearms. As a result, the United States has instituted this civil forfeiture action against

the Defendant Firearms.

11. By reason of the foregoing, and under the provisions of 21 U.S.C. § 881(a)(11), the Defendant Firearms are forfeitable to the United States.

WHEREFORE, the United States of America respectfully requests that Judgment of Forfeiture be entered in favor of the United States for the Defendant Firearms; and that the United States be granted such relief as this Honorable Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

TROY RIVETTI  
Acting United States Attorney

By: /s/ Jill L. Locnikar  
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VERIFICATION

I am a Special Agent of the United States the Drug Enforcement Administration, and the case agent assigned the responsibility for this case. I have read the contents of the foregoing complaint for forfeiture and the statements contained therein are true and correct to the best of my knowledge and belief.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on this 14th day of March, 2025.

**BENJAMIN  
MCPHERSON**

Digitally signed by  
BENJAMIN MCPHERSON  
Date: 2025.03.14 12:45:48  
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Benjamin McPherson, Special Agent  
Drug Enforcement Administration